



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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February 9, 1998

Paula Doughty
Manager, Environmental Compliance
Kennecott Utah Copper
P.O. Box 6001
Magna, Utah 84044-6001

Re: Division Request to Submit a Permit Modification and Bond for the-Second Tailings Pipeline - 4th Line/Copperton Concentrator Mine Permit, M/035/011, Salt Lake County, Utah

Dear Ms. Doughty:

The Division hereby requests KUC to update it's permit and bond for the UCD Modernization mine permit to include the second tailings pipeline which has been constructed. This request is made as a result of a meeting between KUC and this Division on January 8, 1998, and the subsequent decision arising from that meeting.

The Division finds the second tailings pipeline construction: 1) to be mining related facilities, and 2) to require a permit modification and bonding for reclamation by the operator under the Utah Mined Land Reclamation Act 40-8-1 et seq and the Minerals Reclamation Program Rules R647-1 through R647-5.

The Division clearly understands that KUC is looking forward, at a future date, to contracting the use of the four, thirteen-mile-long pipelines to another entity for water conveyance and management in the area. However, until such certainty and documentation exists for a proposed post mining land use, the Division considers the erosive and aging effects which the current use of transporting slurried tails has on the facility. Such use could render the pipeline to be in a compromised condition in an economic climate not favorable for gratuitous reclamation. This remains true even with the employment of new technology used for this new pipeline. Thus the Division must employ the only guarantee of reclamation, in order to avoid the creation of abandoned mine facilities of the future, and that is to permit and bond the facilities as the Utah code and rules intend. To this end, please submit, by March 31, 1998, a permit modification application to the existing NOI and bonding calculations to be reviewed by this Division.

If you have any questions, you may contact me at 801-538-5306.

Sincerely,


Mary Ann Wright,
Associate Director of Mining